

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

2017 MAR 14 PM 2:40

CLEAR 
U.S. DIST. OF GA.

KEWYN L. WILLIAMS,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting
Commissioner of Social
Security,

Defendant.

CASE NO. CV416-043

O R D E R

Before the Court is Plaintiff's Petition for Attorney Fees. (Doc. 15.) In the petition, Plaintiff requests \$5,857.47 in fees and \$400.00 in costs. (Id. at 1.) The Government does not oppose Plaintiff's request. (Doc. 17.) The Court has carefully considered the petition and finds that Plaintiff meets the requirements for such an award pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d). See Jean v. Nelson, 863 F.2d 759, 765 (11th Cir. 1988) (holding that to recover attorney's fees "(1) the litigant opposing the United States must be a prevailing party; (2) the government's position must not have been substantially justified; and (3) there must be no circumstances that make an award against the government unjust"). Accordingly, Plaintiff is **AWARDED** the requested

\$5,857.47 in attorneys' fees and \$400.00 in costs. Upon the entry of this order, the Commissioner will determine whether Plaintiff owes a debt to the Government that qualifies under the Treasury Offset Program, 31 U.S.C. §§ 3711, 3716. If Plaintiff owes such a debt, the fee award will be applied towards that debt with any remaining funds remitted to Plaintiff by a check delivered to Plaintiff's counsel. If Plaintiff does not owe such a debt, the Government will accept the assignment of EAJA fees, and remit the fees and costs directly to Plaintiff's attorney.

SO ORDERED this 14th day of March 2017.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA